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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/394,660	09/13/99	ROBERTS	KN71020-37(3)

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EXAMINER

DEXTER, C

ART UNIT

PAPER NUMBER

3724

DATE MAILED: 06/20/00

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

# Office Action Summary

Application No.  
**09/394,660**

Applicant(s)  
**Roberts et al.**

Examiner  
**Clark F. Dexter**

Group Art Unit  
**3724**



☒ Responsive to communication(s) filed on Apr 3, 2000

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

## Disposition of Claims

☒ Claim(s) 1-32 is/are pending in the application.

Of the above, claim(s) 2, 3, 7-9, 11, 12, 16, and 20-32 is/are withdrawn from consideration.

☐ Claim(s) \_\_\_\_\_ is/are allowed.

☒ Claim(s) 1, 4-6, 10, 13-15, and 17-19 is/are rejected.

☐ Claim(s) \_\_\_\_\_ is/are objected to.

☐ Claims \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.

☒ The specification is objected to by the Examiner.

☒ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some\* ☐ None of the CERTIFIED copies of the priority documents have been

☐ received.

☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

☐ Notice of References Cited, PTO-892

☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 2

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

Art Unit: 3724

## **DETAILED ACTION**


### ***Election/Restriction***

1. Applicant's election without traverse of Group II (claims 1, 4-6, 10, 13-15 and 17-19) and Species A (which applicant states reads on all claims except claims 20-25) in the response filed April 3, 2000 (paper no. 5) is acknowledged. Thus, the claims to be examined will be 1, 4-6, 10, 13-15 and 17-19. Claims 2, 3, 7-9, 11, 12, 16 and 20-32 have been withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected invention, there being no allowable generic or linking claim. It is noted that two-way distinctness exists between elected group II and newly submitted claims 26-32. Therefore, these claims have been withdrawn from further consideration as being drawn to a non-elected invention.

### ***Information Disclosure Statement***

2. The information disclosure statement filed October 14, 1999 (paper #2) has been received and the references listed thereon have been considered.

### ***Oath/Declaration***

3. The oath or declaration is defective. A new oath or declaration in compliance with 37 CFR 1.67(a) identifying this application by application number and filing date is required. See MPEP §§ 602.01 and 602.02. 

Art Unit: 3724

The oath or declaration is defective because:

It does not identify the post office address of each inventor. A post office address is an address at which an inventor customarily receives his or her mail and may be either a home or business address. The post office address should include the ZIP Code designation.

### *Drawings*

4. The drawings are objected to because of the following informalities:

In Figure 1, numeral 54 appears to be incorrect, and it seems that it should be changed to --50--.

In Figure 3, numeral 33 is improper since it has already been used to indicate another feature (see Fig. 1).

In Figure 4, numeral 72 is improper since it is used to represent another feature (see Fig. 5); additionally, it seems that an arrowhead should be added to the end of the lead line for numeral 38 to distinguish it from numeral 55.

In Figure 8, it seems that numeral 22 should be added to represent the cross-hatched feature for clarity.

In Figure 9, the lead line for numeral 120 (bottom right of Figure) is missing.

Correction is required.

5. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the drive motor as set forth in claims 5

Art Unit: 3724

and 13, the drive shaft and the transmission means as set forth in claim 5, and the helical separator member as set forth in claim 13 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

### *Abstract*

6. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 250 words. It is important that the abstract not exceed 250 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

7. The abstract of the disclosure is objected to because it's too long. Correction is required.

See MPEP § 608.01(b).

### *Specification*

8. The disclosure is objected to because of the following informalities:

Numeral 31 shown in Figure 1 does not appear to be described.

On page 6, line 6, "tickets 42" appears to be inaccurate, and it seems that "42" should be deleted and reinserted after "stacks" or the like.

Art Unit: 3724

On page 8, line 5, "33" is improper since it is used to represent another feature; also in line 5, it seems that --56-- should be inserted after "slot" for clarity; in line 24, it seems that --(not shown)-- should be inserted after "separator blades" or the like for clarity.

On page 9, line 9, "units 5 and 6" appears to be inaccurate, and it seems that --shown in Figs.-- should be inserted after "units" or the like.

On page 10, line 12, "[metal]" is improper; in line 24, it seems that --(not shown)-- should be inserted after "peripheral ridge" or the like for clarity.

On page 11, line 1, "114" is incomplete, and it seems that -- , 116, 118 -- should be inserted after "114"; in line 18, it seems that --(not shown)-- should be inserted after "groove elements" or the like for clarity. Appropriate correction is required.

### *Claim Rejections - 35 USC § 112*

9. Claim <sup>5, 1, 4-6, 10-15 and 17-19 are</sup> rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The claims are replete with vague and indefinite language and should be carefully reviewed. The following are examples of many of the occurrences of such language.

In claim 1, line 1, "bottom wall" is vague as to what disclosed structure it refers (particularly in the elected species of Figs. 1-4); in lines 1-2, the recitation of both "side walls" and "front side wall" renders the claim vague and indefinite since it is not clear as to what disclosed structure these terms correspond (e.g., if the front side wall is hingedly mounted, it is not clear

Art Unit: 3724

whether it is intended to include at least one of the side wall which, as shown, are also hingedly mounted as part of the front side wall); additionally, "front side" is confusing and it seems that it should be changed to --front-- for clarity; in lines 3-4, ✓ "so as to swing outwardly and downwardly from said side wall" renders the claim vague and indefinite since it seems that the side walls move with the front side wall; in line 4, it is not clear whether "a cover" includes the side wall; in general, the configuration of the housing and the relationship of the components thereof is not clearly set forth; in line 6, "adapted to contain" is vague as to how the space is "adapted". ←

In claim 4, line 2, "separator mechanism" is vague as to what disclosed structure it refers, particularly in Figs. 1-4. ←

In claim 5, line 2, ✓ "an enclosure" is vague as to what disclosed structure it refers.

In claim 6, lines 2-3, "forms a curved rear side wall for said enclosure" is vague as to what is being set forth; in lines 4-5, "housing extension" is vague as to what disclosed feature it corresponds. ←

In claim 10, line 1, ✓ "in combination" is vague as to what constitutes the combination, and it seems that the claim is drawn only to a ticket dispensing installation; in line 16, ✓ "the normal customer position" lacks positive antecedent basis; in line 17-18, ✓ "the normal clerk's position" lacks positive antecedent basis; in general, as in claim 1, the configuration of the housing and the relationship of the components thereof is not clearly set forth. ←

In claim 15, line 1, ✓ "in combination" is vague as to what constitutes the combination, and it seems that the claim is drawn only to a ticket dispensing installation; in general, as in claim 1, ←

Art Unit: 3724

the configuration of the housing and the relationship of the components thereof is not clearly set forth.


***Prior Art***

10. Further consideration of the claimed invention with respect to the prior art will be given upon clarification of the claimed invention.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Clark Dexter whose telephone number is (703) 308-1404.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Rinaldi Rada, can be reached at (703)308-2187.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703)308-1148. The fax numbers for this group are: formal papers - (703)305-3579; informal/draft papers - (703)305-9835.



**Clark F. Dexter  
Primary Examiner  
Art Unit 3724**

cf  
June 19, 2000